

REMARKS

Claims 2 through 25 are pending in this application. Claims 2, 3 and 24 are amended in several particulars for purposes of clarity in accordance with current Office policy, to assist the examiner and to expedite compact prosecution of this application. Claim 1 has been cancelled without prejudice or disclaimer of its subject matter. The Applicant appreciates the Examiner's indication of allowance concerning claims 5-23 and 25 and the allowability of claims 2 and 24.

I. Claim Rejections - 35 USC § 103

According to MPEP 706.02(j), the following establishes a *prima facie* case of obviousness under 35 U.S.C. §103:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art

and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20
USPQ2d 1438 (Fed. Cir. 1991).

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kakigi (US Patent No. 6,422,557) and in combination of Salgado et al. (US Patent No. 5,898,592). The Applicant respectfully traverses.

The language of claim 1 has been incorporated into claim 3.

As to claim 1, the Examiner states that Kakigi does not teach an exclusive use for a certain user being set by a printing device controller (i.e., the video controller 103 in fig. 4) with respect to at least one of the sheet outputting position units when instructed, but that Salgado teaches a printing device controller (i.e., a controller 100 in fig. 1) for setting an exclusive use for a certain user with respect to at least one of the sheet outputting position units when instructed (fig. 5 indicates an exclusive use for each user is set with respect to at least one of the sheet outputting position units “or bins” “col. 12, lines 60-67”; and col. 12, lines 40-42).

However, looking at Salgado, the mailbox is assigned a unique and predetermined electronic address to the respective bins of sorter equipment. col. 2, lines 8-14. As mentioned in col. 12, lines 40-41, the bins are assigned. However, in claim 3, the printing device controller is setting the exclusive use of a certain user with respect to the sheet outputting unit rather than setting the sheet

outputting unit to a certain user as seen in Salgado method of mailboxing the bins. Therefore, claim 1 should be allowable.

Moreover, since rejected claim 4 depends on claim 3, claim 4 should also be allowable.

II. Allowable Subject Matter

The Applicant appreciates the allowance of claims 5-23, and 25.

The Examiner stated that claims 2 and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The applicant appreciates the examiner's indication of allowability pertaining to claims 2 and 24. Claim 2 and 24 were amended to include the base claim and any intervening claims according to the suggestion of the Examiner. However, the phrase "said printing device controller setting an exclusive use for a certain user from a plurality of users with respect to at least one of said sheet outputting position units when instructed," which was added to claim 1 in the previous response filed on September 8, 2004, was not included in amended claims 2 and 24 as the Examiner indicates that the limitations of claim 2 and 24 are allowable.


Entry of the foregoing amendments to claims 2, 3 and 24 is proper under 37 C.F.R. 1.116(b) because those amendments simply respond to the issues raised in the final rejection, no new issues are raised, no further search is required, and the foregoing amendments are believed to remove the

basis of the outstanding rejections and to place all claims in condition for allowance. The foregoing amendments, and explanations, could not have been made earlier because they are merely responsive to issues newly raised in Paper No. 1/14/05.

In view of the foregoing amendments and remarks, all claims are deemed to be allowable and this application is believed to be in condition to be passed to issue. If there are any questions, the examiner is asked to contact the applicant's attorney.

A fee of \$400.00 is incurred by this Amendment for the addition of two (2) independent claims above three (3). Applicant's check drawn to the order of the Commissioner accompanies this Amendment. Should there be a deficiency in payment, or should other fees be incurred, the Commissioner is authorized to charge Deposit Account No. 02-4943 of Applicant's undersigned attorney in the amount of such fees.

Respectfully submitted,


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